

IN RE: PETITION FOR VARIANCE  
E/S Winans Road, 77 ft. +/- W  
Of c/l Marriottsville Road  
8 Chinook Court  
2nd Election District  
2nd Councilmanic District  
Shirley A. Chandler  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-179-A

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for the property located at 8 Chinook Court in the Twelve Trees residential subdivision of the Deepark community of Baltimore County. The Petition was filed by Shirley A. Chandler, property owner. Variance relief is requested from Section 427 of the Baltimore County Zoning Regulations (BCZR), to permit a fence adjoining a neighbor's front yard with a height of 6 ft., in lieu of the maximum permitted 3.5 ft. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

As noted above, the Petition was originally filed as an administrative variance, pursuant to Section 26-127 of the Baltimore County Code. That section allows a residential property owner to seek variance relief without a public hearing in certain cases. The procedure requires the posting of the property with notice of the requested relief and provides any adjacent property owner with 15 days from the date of the posting to request a public hearing. In this case, the property was duly posted and a request for a public hearing was received from Debra Smith, Property Manager, on behalf of Twelve Trees Homeowners Association. The subject property is located within the boundaries of that community association. Thus, the matter was scheduled for public hearing.

Appearing at the requisite public hearing held for this case was Mr. Ronnel Dow, on behalf of Shirley A. Chandler, property owner. Also appearing was Michael H. Mannes, Esquire, an attorney representing the Twelve Trees Homeowners' Association. Appearing on behalf of that Association was Debra Steadman, a member of the Board of Directors.

ORDER RECEIVED FOR FILING  
1/26/99  
Date  
By: [Signature]

At the hearing, Mr. Dow presented a site plan which generally depicts the property and neighboring lots. The property is a small lot, approximately 80 ft. in depth by 55 ft. in width. It is improved with an end of group townhouse unit. That is, the property shares a common wall with the adjacent dwelling at 6 Chinook Court. However, the property does have an open front yard, side yard and rear yard area. Mrs. Chandler has apparently owned the property for several years and resides thereon. She proposes constructing the fence in the rear yard of the property as more particularly shown on the site plan. The fence will be constructed at a height of 6 ft, which is higher than the 3.5 ft. permitted under Section 427 of the BCZR.

Variance relief is necessary in view of this height and the improvements on adjacent properties. As more particularly shown on the site plan, an adjacent lot is improved with a structure described as a Quad Unit. That is, it contains four individual housing units which are within a single building. Mrs. Chandler's property abuts the front yard of one of those units, known as 12 Chinook Court. Thus variance relief is necessary.

Mr. Dow offered two reasons in support of the variance. First, he testified that the Petitioner owns two dogs which are kept in the rear yard. He indicated that the fence was necessary to prevent the animals from bothering neighbors in the area and vice-versa. Secondly, he indicated that the property owner had encountered problems with youth in the area who cut through and/or loiter in her rear yard. Thus, the fence is necessary to eliminate those problems.

Ms. Steadman, on behalf of the community association, indicated that the fence was inappropriate. She stated that there are no other fences in the community similar to what is proposed and that it does not meet the architectural guidelines of the community. In this regard, it is to be emphasized that my decision relates only to the zoning regulations. That is, I do not enforce any architectural guidelines or covenants as may be recorded in the Land Records of Baltimore County for this subdivision. Such covenants and restrictions are to be enforced by the homeowners association and not the Baltimore County zoning authority. My

ORDER RECEIVED FOR FILING

FILED

BY

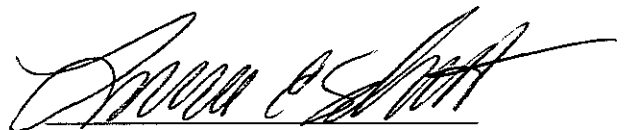
decision, solely, is whether the variance relief from the applicable provisions of the BCZR is warranted.

As to that decision, I am not persuaded by the Petitioner's arguments. The construction of a fence will shield the back yard, whether same is 3.5 ft. high, as permitted by regulation, or 6 ft. high. That is, individuals will not be able to loiter or trespass on the property unless they vault the fence. I do not see the need for the additional 2.5 ft. to prevent loiters and trespassers on the property. As to the safety of the dogs, the same logic applies. I believe that a fence of a height permitted by the regulations would be sufficient.

Based upon the testimony and evidence presented, therefore, I will deny the Petition for Variance. The Petitioner is permitted to build a fence in accordance with the zoning regulations, assuming that it meets the requirements of the covenants as enforced by the community association. However, variance relief, pursuant to the BCZR, will not be granted.

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26<sup>th</sup> day of January 1999, that the Petition for a Zoning Variance from Section 427 of the Baltimore County Zoning Regulations (BCZR), to permit a fence adjoining a neighbors front yard to a height of 6 ft., in lieu of the maximum permitted 3.5 ft., be and is hereby DENIED.



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

ORIGINAL FILED IN 15-1-99  
15-1-99  
15-1-99



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

January 26, 1999

Mr. Ronnel Dow  
409 Yale Avenue  
Baltimore, Maryland 21229

Michael H. Mannes, Esquire  
1 E. Franklin Street  
Baltimore, Maryland 21202-2239

RE: 8 Chinook Court – Legal Owner: Shirley A. Chandler  
Case No. 99-179-A  
Petition for Variance

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at AC 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
Copy:  
Mrs. Shirley A. Chandler  
8 Chinook Court  
Randallstown, Maryland 21133

**ADMINISTRATIVE VARIANCE**  
**CLOSING DATE – NOVEMBER 13, 1998**

**CASE NUMBER: 99-178-A**

2002 Windys Run Road

W/S Windys Run Road, 63' S of centerline Caton Glen Road

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: William J. Santo & Janet L. Kirmil

Administrative Variance to allow a deck to be constructed with a rear yard of 11 feet instead of the required 22.5 feet and to amend the last approved Final Development Plan for Lot 41 in Caton Glen.

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**CASE NUMBER: 99-179-A**

8 Chinook Court

E/S Winans Road, 77' +/- W of centerline Marriottsville Road

2<sup>nd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Shirley A. Chandler

Administrative Variance to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

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**CASE NUMBER: 99-180-A**

14 Galetree Court

N/S Galetree Court, 509' W of centerline Old Spring Court

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Bernard LaHatte & Sue LaHatte

Administrative Variance to permit an addition with a setback of 27 feet in lieu of the required 30 feet.

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**\*\*Closing Date is 11/13 instead of 11/16 as JCM used the wrong posting and closing dates – WCR said to use the closing date of 11/13.**



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 8 CHINOOK COURT

which is presently zoned DR-5.5

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 427, 8622, TO PERMIT A

FENCE ADJOINING A NEIGHBORS FRONT YARD WITH A HEIGHT OF 6ft. in lieu of The permitted ~~427, 8622~~ 3.5ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See reasons for this Administrative Variance on reverse side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

SHIRLEY A. CHANDLER  
(Type or Print Name)

Signature

Shirley A. Chandler  
Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

(410) 922-8306 (H)  
8 CHINOOK COURT (410) 795-2100/EXT 3302  
Address Phone No. (w)

(Type or Print Name)

RANDALLSTOWN MD 21233  
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted

Address

Phone No.

Same  
Name

City

State

Zipcode

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_, 19\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JAM

DATE: 10-22-98

ESTIMATED POSTING DATE: 10-28-98

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 179

**99-179-A**

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8 CHINOOK COURT  
address  
BALTIMORE, MD 21133  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

To erect a privacy fence 54 ft. long x 40 ft. wide x 30 ft.  
x 6 ft. high. to enclose my rear yard area. This privacy  
fence would prevent: (1) neighborhood youth from trampling and tracking  
across rear lawn area, (2) neighbor hood youth from riding bicycles back and  
forth rear yard area, (3) rear yard property damage by youths as they play  
in/out of woods area, (4) neighbors who walk their dogs in woods and allow them  
to roam about freely unleashed and use my rear yard area as a public bath-  
room.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Shirley A. Chandler  
(signature)  
SHIRLEY A. CHANDLER  
(type or print name)



\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2<sup>TH</sup> day of August, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Shirley A. Chandler

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8-27-98  
date

Susan K. Langer  
NOTARY PUBLIC

My Commission Expires: 5-1-2001

A-PTI-PP

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8 CHINOOK COURT  
address  
BALTIMORE, MD 21133  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

To erect a privacy fence 54 ft. long x 40 ft. wide x 30 ft. x 6 ft. high to enclose my rear yard area. This privacy fence would prevent: (1) neighborhood youth from trampling and tracking across rear lawn area, (2) neighbor hood youth from riding bicycles back and forth rear yard area, (3) rear yard property damage by youths as they play in/out of woods area, (4) neighbors who walk their dogs in woods and allow them to roam about freely unleashed and use my rear yard area as a public bathroom.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Shirley A. Chandler  
(signature)  
SHIRLEY A. CHANDLER  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of August, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Shirley A. Chandler

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8-27-98  
date

Susan X. Sauer  
NOTARY PUBLIC

My Commission Expires: 5-1-2001

H-PP1-PP





# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 8 CHINOOK COURT  
which is presently zoned DR-5.5

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 427, 822, TO PERMIT A

FENCE ~~W/~~ ADJOINING A NEIGHBORS FRONT YARD WITH A  
Height of 6ft. in LIEU of the PERMITTED 3.5ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See reasons for this Administrative Variance on reverse side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition)

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

SHIRLEY A. CHANDLER

(Type or Print Name)

Signature

(Type or Print Name)

Signature

8 CHINOOK COURT (410) 922-8306 (H)  
Address Phone No 3302 (W)

RANDALLSTOWN MD 21233  
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: Jan DATE: 10-22-98

ESTIMATED POSTING DATE: 10-28-98

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 179

**99-179-A**

ZONING DESCRIPTION FOR: 8 CHINOOK COURT

Beginning at a point on the EAST side of WINANS ROAD

which is 51.67 wide at the distance of 77.33 WEST of the  
centerline of the nearest improved intersecting street

MARRIOTTSVILLE ROAD

Being Lot # 27, in the subdivision of TWELVE TREES as

recorded in Baltimore County Plat Book # 39, Folio # 5,

containing 3,005.64 square feet. Also known as 8 CHINOOK COURT

and located in the Election District, 2 Councilmanic 2

District.

179

44-179-A

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

No. 061032

DATE 11/10/98 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED FROM: 12 Trees Homeowners Assoc

FOR: PUBLIC HEARING DEMAND Case #99-179-A

8 Chinook Court

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME  
11/12/1998 11/10/1998 16:24:01  
RIG 4503 CASHIER PMS PWD DRUMER 3  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 065669  
CR NO. 061032

40.00 CHECK: FN  
Baltimore County, Maryland

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT**

No. 061032

DATE 11/10/98 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED FROM: 12 Trees Homeowners Assoc

FOR: PUBLIC HEARING DEMAND Case #99-179-A

8 Chinook Court

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME  
11/12/1998 11/10/1998 16:24:01  
RIG 4503 CASHIER PMS PWD DRUMER 3  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 065669  
CR NO. 061032

40.00 CHECK: FN  
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 060733

DATE 10-22-98 ACCOUNT Fuel- 6150

AMOUNT \$ 50.00

RECEIVED FROM: S. Chinnolee 8 Chinook Ct.

FOR: (c/c) Ad Van.

PAID RECEIPT  
PROCESS NORMAL TIME  
10/23/1998 10/23/1998 15:17:35  
REG W005 CASHTER LSHT IRS CRAMEF  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 079954  
CR NO. 060733

50.00 CASH  
Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Nov. 27, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 26, 1998.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

### NOTICE OF ZONING

HEARINGS  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-179-A  
8 Chinook Court  
E/S Winans Road, 77' +/- W of centerline Marriottsville Road  
2nd Election District  
2nd Councilmanic District  
Legal Owner(s): Shirley A. Chandler

Administrative Variance: to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

Hearing: Tuesday, December 15, 1998 at 9:00 a.m. in Room 467, County Courts Bldg., 481 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 867-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 867-3391.

T1/381 Nov. 26 C275832

# CERTIFICATE OF POSTING

ADMIN.

RE: Case No.: 99-179-A

Petitioner/Developer: % P.M. O'KEEFE, ETAL

Date of Hearing/Closing: 11/13/98

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at #8 CHINOOK CT.

The sign(s) were posted on

10/24/98  
FIXED (Month, Day, Year)

Xtra  
cert.

Sincerely,

Patrick M. O'Keefe 11/4/98  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

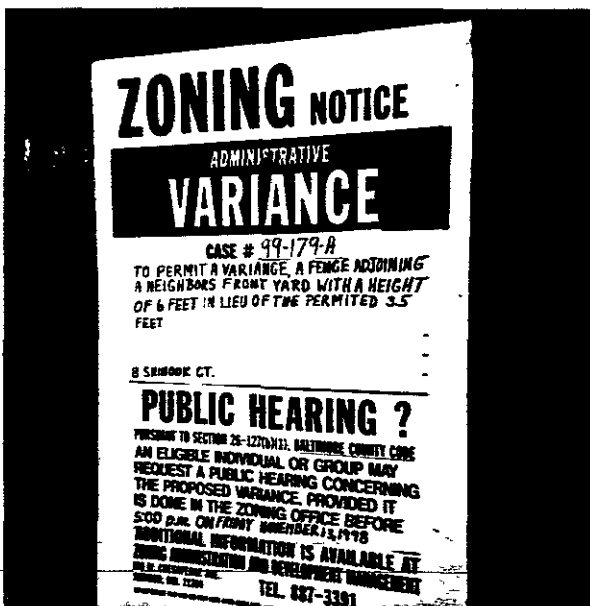
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



99-179-A  
8-CHINOOK CT.

CL. 11/13/98

# CERTIFICATE OF POSTING

99-179-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

SHIRLEY A. CHANDLER

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

~~REDACTED~~

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at B CHINOOK COURT

The sign(s) were posted on 12/16/98  
(Month, Day, Year)

Sincerely,

Gary C. Freund 12/16/98  
(Signature of Sign Poster and Date)

GARY C. FREUND

(Printed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

Development Process  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 5, 1998

Re: NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, has scheduled a public hearing in Towson, Maryland concerning my property identified as follows:

CASE NUMBER: 99-179-A  
8 Chinook Court  
E/S Winans Road, 77'+/-W of centerline Marriottsville Road  
2nd Election District-2nd Councilmanic District  
Legal Owner: Shirley A. Chandler

ADMINISTRATIVE VARIANCE to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

My HEARING is scheduled for Tuesday, December 15, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

I will not be able to attend this hearing, I have asked Mr. Ronell Dow to represent me. He will speak for me.

Sincerely,

  
Shirley A. Chandler

Subscribed and sworn to me in my  
presence, this 14 day of Dec  
19 98, a notary public in and for  
the Co of Cal state of md





My commission expires 11/10/01



Baltimore County  
Department of Permits and  
Development Management

dd-11d-4

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Location: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SHIRLEY A. CHANDLER

ADDRESS: 8 CHINOOK COURT

BALTIMORE, MARYLAND 21133

PHONE NUMBER: (410) 922-8306

AJ:ggs

(Revised 09/24/96)







Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

November 10, 1998

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-179-A  
8 Chinook Court  
E/S Winans Road, 77' +/- W of centerline Marriottsville Road  
2<sup>nd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owner: Shirley A. Chandler

Administrative Variance to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

HEARING: Tuesday, December 15, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "scj" monogram below it.

Arnold Jablon  
Director

c.: Shirley A. Chandler  
Twelve Trees Homeowners Association

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 30, 1998.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



TO: PATUXENT PUBLISHING COMPANY  
November 25, 1998 Issue – Jeffersonian

Please forward billing to:

Shirley Chandler  
8 Chinook Court  
Randallstown, MD 21133

410-922-8306 (home)  
410-795-2100, ext. 3302 (work)

---

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-179-A

8 Chinook Court

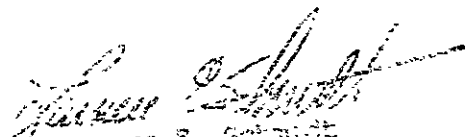
E/S Winans Road, 77' +/- W of centerline Marriottsville Road

2<sup>nd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner: Shirley A. Chandler

Administrative Variance to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

HEARING: Tuesday, December 15, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

46)

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.
-

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

---

---

**For Newspaper Advertising:**

Item Number or Case Number: 99-179-A

Petitioner: Shirley Chanoler

Address or Location: 8 Chinook Ct. Randallstown Md. 21133

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_

Address: Same

Telephone Number: (410) 922-8306

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**Case Number 99- 179 -AAddress 8 Chinook Ct.Contact Person: J. Meppay  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 10-22-98Posting Date: 10-28-98Closing Date: 11-13-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only****USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 179 -AAddress 8 Chinook Ct.Petitioner's Name S. ChandlerTelephone (410) 922Posting Date: 10-28-98Closing Date: 11-13-98

Wording for Sign: A VARIANCE  
To Permit A FENCE ADJOINING A NEIGHBORS FRONT  
YARD WITH A HEIGHT OF 6ft. IN LIEU OF THE  
PERMITTED 3.5ft.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

December 9, 1998

Ms. Shirley A. Chandler  
8 Chinook Court  
Randallstown, MD 21133

RE: Item No.: 179  
Case No.: 99-179-A  
Location: 8 Chinook Court

Dear Chandler:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 28, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

NOVEMBER 23, 1998

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: 172 - SCOTT R. THACKER AND SHEILA M. THACKER  
178 - WILLIAM J. SANTO AND JANET L. KIRMIL  
179 - SHIRLEY A. CHANDLER  
180 - BERNARD LAHATTE AND SUE LAHATTE

Location: DISTRIBUTION MEETING OF NOVEMBER 2, 1998

Item No.: 172, 178, 179, AND 180

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

*no comments. JKL*

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** November 2, 1998

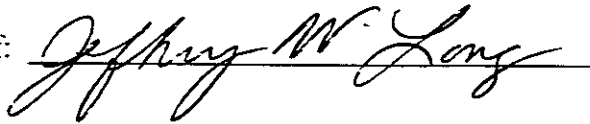
**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):  
Item No (s): 172, 178, 179 and 180

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", written over a horizontal line.

AFK/JL



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Date: 11-4-91

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 179 JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

10 Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:            Arnold Jablon, Director  
              Department of Permits & Development  
              Management

Date:   November 9, 1998

FROM: *pub* Robert W. Bowling, Supervisor  
              Bureau of Developer's Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
              for November 9, 1998  
              Item Nos. 171, 172, 173, 174, 175,  
              177, 178, 179, 180

              The Bureau of Developer's Plans Review has reviewed the subject  
zoning items, and we have no comments.

RWB:HJO:jrb

cc:   File

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: POM

FROM: R. Bruce Seeley *RBS/yl*  
Permits and Development Review  
DEPRM

DATE: *11/12/98*

SUBJECT: Zoning Advisory Committee  
Meeting Date: *11/2/98*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	<i>171</i>	<i>179</i>
	<i>172</i>	<i>180</i>
	<i>175</i>	<i>99-131-A</i>
	<i>177</i>	
	<i>178</i>	

RBS:sp

BRUCE2/DEPRM/TXTS8P

RECEIVED NOV 13 1998

99-179-A

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

MICHAEL H. MANNES, ESQ

1 EAST FRANKLIN ST. BALTO. 21202

~~SHERLEY STRANDLER~~

~~800 WOOD ST BALTO MD 21133~~

12 Tree HO ASSE



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

December 22, 1998

Mr. Ronnel Dow  
409 Yale Avenue  
Baltimore, Maryland 21229

3 410-646-2381

Michael H. Mannes, Esquire  
1 E. Franklin Street  
Baltimore, Maryland 21202-2239

RE: 8 Chinook Court – Legal Owner: Shirley A. Chandler  
Case No. 99-179-A

Gentlemen:

This is to follow up the remarks made at the public hearing conducted for the above case on December 15, 1998 regarding the above matter.

As was discussed, this property was not re-posted with notice of the zoning hearing which occurred on December 15, 1998. A review of the file indicates that notice of the hearing issued by the Zoning Division of the Dept. of Permits and Development Management was vague and did not specifically direct that even Ms. Chandler or the community association post a sign. Although no sign was posted, representatives of Ms. Chandler was present at the hearing as well as representatives from the Twelve Trees Association, Inc.

As I indicated at the hearing, the above matter will be rescheduled for an additional hearing date. The new date assigned is January 6, 1999 at 3:00 P.M. A continued hearing will be held in Room 407 of the County Courts Building. It will not be necessary for either you or your clients to attend. If any interested person appears as a result of the placement of the sign, I will continue the matter and set another hearing date when the case can be reconvened. If no additional individuals appear, as is expected, I will make a decision on this case based upon the testimony and evidence offered on December 15, 1998. Please contact me should you have any questions regarding this matter. I regret the inconvenience and delay.

Very truly yours,

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn



# TWELVE TREES HOMEOWNERS ASSOCIATION

11/1/98  
8  
WLR  
Soph.  
Demand for  
Pub Hearing  
11/4/98  
WLR

Baltimore County Zoning Office  
111 W. Chesapeake Avenue  
Room 111  
Towson, MD 21204

Re: Case #99-179-A/8 Chinook Court

To Whom It May Concern:

The Board of Directors for Twelve Trees Homeowners Association would like to officially request a public hearing for the above cited reference number.

I have enclosed the \$40.00 fee necessary to schedule the public hearing; please notify us in writing of the hearing date.

The issue to be resolved:

» Violation of Rules, prohibiting such «

Sincerely yours,

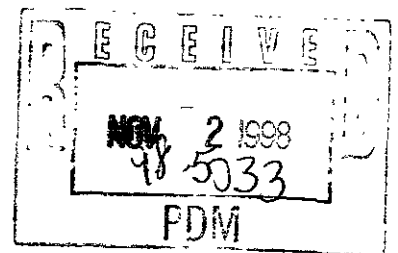
DAVID O. FELDMANN, INC., AMO®  
Managing Agent for  
Twelve Trees Homeowners Association

*Debra Smith*

Debra Smith  
Property Manager

cc: Board of Directors

Enclosure



**DOF** REALTORS

David O. Feldmann, Inc.  
107 Sudbrook Lane  
Baltimore, Maryland 21208-4129

LAW OFFICES OF  
**MICHAEL H. MANNES, P. A.**

1 EAST FRANKLIN STREET  
BALTIMORE, MD 21202-2239

Voice 410-752-8090

Fax 410-752-8099

Michael H. Mannes

Tracey Bentz  
Legal Assistant

December 15, 1998

22467.01

Hearing Officer  
Zoning Commission  
Office of Planning and Zoning  
407 County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204

Re: 8 Chinook Court - Chandler  
Case No. 99-179-A

To The Zoning Commissioner:

Below is the testimony I gave before you on Tuesday, December 15, 1998. I am the attorney for Twelve Trees Association, Inc., the Homeowners Association in which 8 Chinook Court is located.

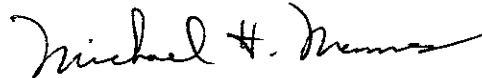
The Homeowner, Shirley A. Chandler has not made application to the Architectural Committee of Twelve Trees Association for permission to erect the fence in her front yard. The Association has the right to approve or disapprove fences under Article VI-Architectural Control as part of the Declaration of Covenants, Conditions and Restrictions recorded in Liber 5529, Page 4278 in 1975. The Bylaws of Twelve Trees provide that one of the powers of the Board of Directors is to adopt and publish rules governing the use of the common areas and facilities and the personal conduct of the members. The Architectural Guidelines of Twelve Trees republished most recently June 1, 1992 is a listing of those architectural changes which are Approvable with an Application and those which are not. Guideline Number 18 provides that fences may enclose the entire rear yard area of the house. For non quad end units the fence may extend the full length of the property and up to one half of the length of the house. Side fences may only be located on the rear half of the property. Those fences are Approvable. Nonapprovable are fences enclosing front yards or the front half of a side yard. Number 19 provides that fence height may vary from 5 to 6 feet. The Bylaws and the Rules were originally placed in the Homeowners Depository on 12/30/88 and were

**MICHAEL H. MANNES, P. A.**

To The Zoning Commissioner  
December 15, 1998  
Page 2

redeposited in the Depository in May, 1994. It is clear that approval would be given for a fence between 5 and 6 feet in height but not for a fence in the front yard.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael H. Mannes".

Michael H. Mannes

twelve\chandler.ltr.fld

cc: President, Twelve Trees Homeowners Association, Inc.  
Debbie Smith, Property Manager, David O. Feldmann, Inc.

*Long*

LAW OFFICES OF  
**MICHAEL H. MANNES, P. A.**

1 EAST FRANKLIN STREET  
BALTIMORE, MD 21202-2239

Voice 410-752-8090

Fax 410-752-8099

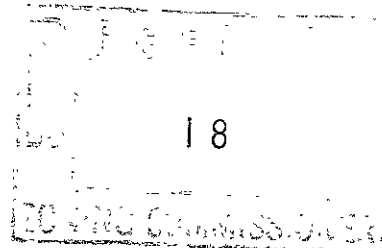
Michael H. Mannes

Tracey Bentz  
Legal Assistant

December 17, 1998

22467.01

Mr. Lawrence Schmidt, Zoning Commissioner  
Baltimore County  
405 County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204



Re: Case No. 99-179-A: 8 Chinook Court-Chandler

Dear Mr. Schmidt:

On Tuesday December 15, 1998 you held a hearing on the above referenced variance case. At that hearing I presented testimony from my client, Twelve Trees Association, Inc. Twelve Trees is the homeowners association in which 8 Chinook Court is located. On the record, I reserved an objection to the possibility that the hand drawn Plat submitted to accompany the Petition for Variance might not be accurate.

I have enclosed a copy of the Petition Plat for you to compare with the "blowup" that I have made from Plat Book 38 Folio 101, which I obtained from Baltimore County Land Records on the same date. That Plat was entitled "Resubdivision of Section 1 Twelve Trees (formerly Parkview Estates)" and was filed for record on June 18, 1975. It would appear from the blowup that the side lot line going from the street to the woods is denoted as 77.33 feet while the line shown on the variance drawing is 79.53 feet. This is a 2.2 foot difference which we consider to be an incursion on the Homeowners Association property.

Further, the 54 foot rear lot line on the Petition Plat is 2 1/3 feet wider than the 51.67 foot dimension across the rear of the lot on the Subdivision Plat. This would effectively place the fence between Lot 4 and the quads at approximately 2 tenths of a foot from the property line. Clearly also the Petition Plat to accompany the Petition for Variance shows the woods as breaking closer to the front of 10 and 12 Chinook whereas on the subdivision Plat the line is at a very small angle to the property line indicating clearly that the woods are misplaced with respect to either 10-12 Chinook or 8 Chinook.

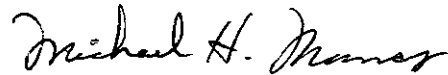


**MICHAEL H. MANNES, P. A.**

Mr. Lawrence Schmidt  
December 17, 1998  
Page 2

All of which raises in my mind a question as to the accuracy of the Petition Plat and whether this Plat was inaccurately drawn by innocent mistake or to mislead both the Association and the Zoning Commissioner. Please consider carefully granting of the zoning variance with regard to the "rear privacy fence" on Lot 4 in Twelve Trees.

Very truly yours,



Michael H. Mannes

twelve\chandle1.ltr.fld

cc: Shirley A. Chandler  
Debbie Steadman, Chairman Architectural Control Committee  
Debbie Smith, Property Manager, David O. Feldmann, Inc.

PETITIONER(S) SIGN-IN SHEET

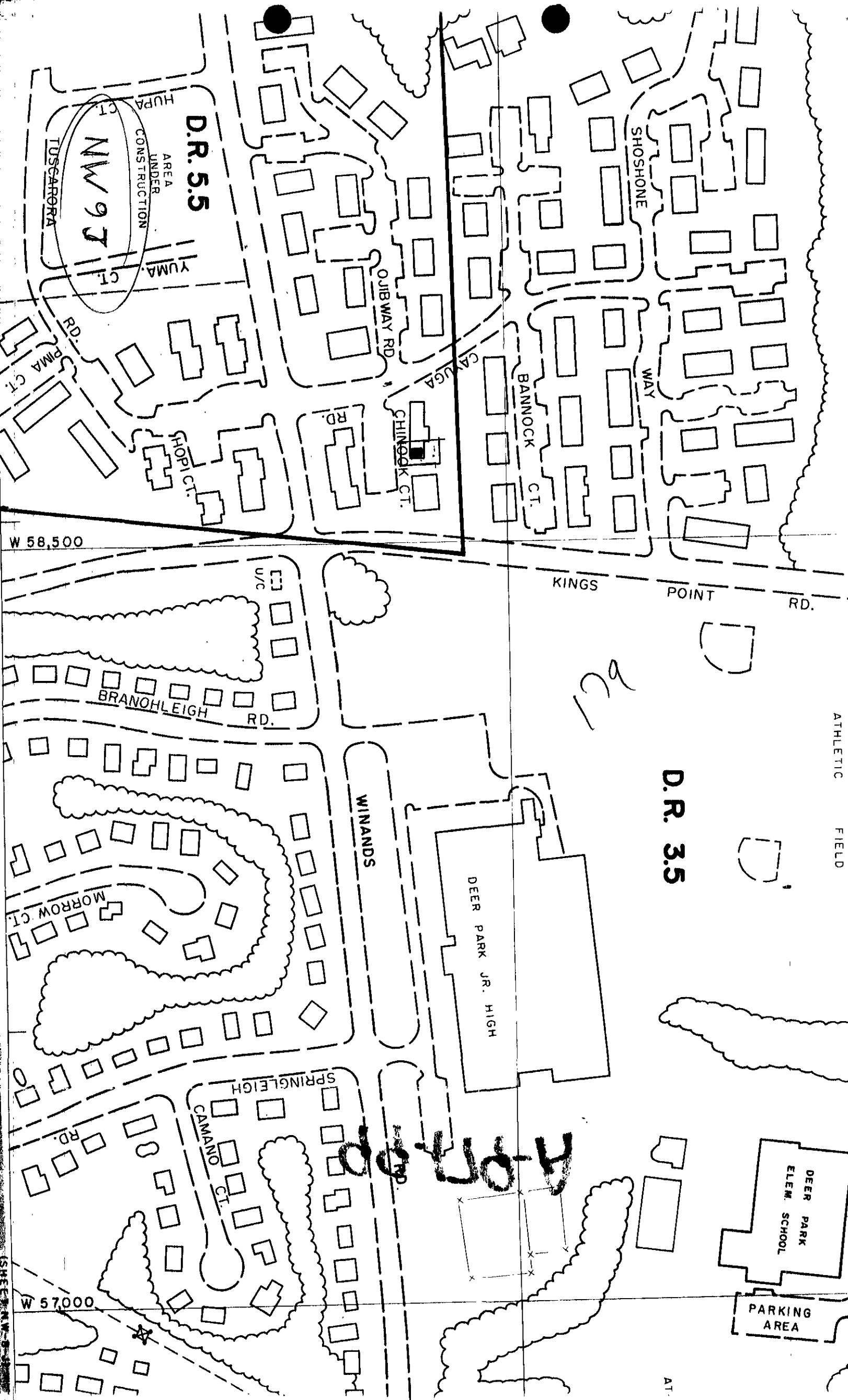
ADDRESS

NAME \_\_\_\_\_  
shirley huddles by \_\_\_\_\_



Printed with Soybean Ink  
on Recycled Paper





D.R. 5.5

AREA UNDER CONSTRUCTION

NW 93

SHOSHONE WAY

BANNOCK CT.

OJIBWAY RD.

CHINOOK CT.

RD.

HOP I CT.

YUMA CT.

TUSCARORA

CT

CT

RD.

PIMA CT.

KINGS

POINT

RD.

129

D.R. 3.5

ATHLETIC

FIELD

WINANDS

DEER PARK JR. HIGH

BRANCHLEIGH RD.

U/C

MORROW CT.

CAMANO CT.

SPRINGLEIGH

RD.

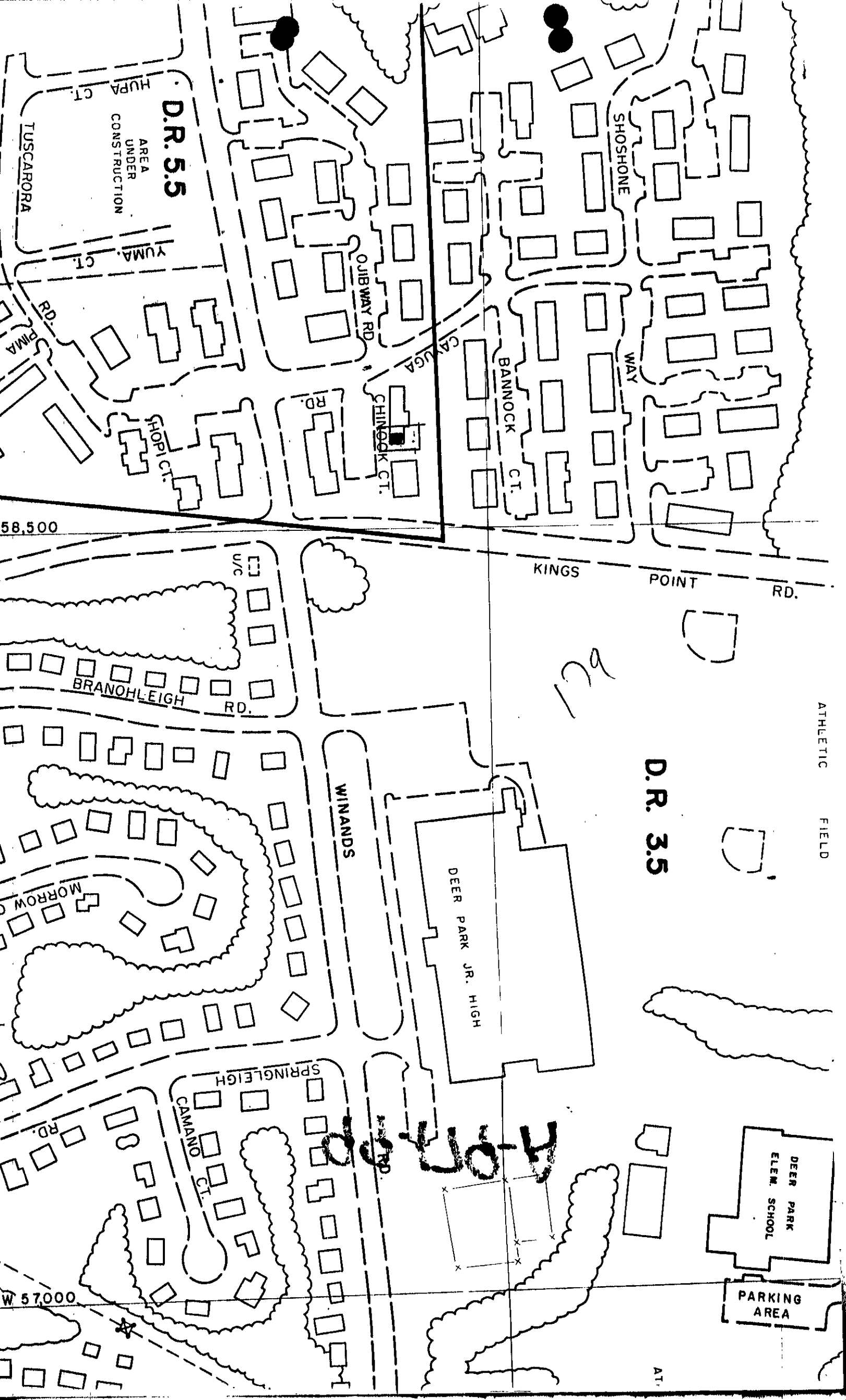
DEER PARK  
ELEM. SCHOOL

PARKING  
AREA

W 57,000

SHEET NW 8-1





D.R. 5.5

AREA UNDER CONSTRUCTION

D.R. 3.5

ATHLETIC FIELD

DEER PARK JR. HIGH

DEER PARK ELEM. SCHOOL

PARKING AREA

WINANDS

SPRINGLEIGH

CAMANO CT.

BRANOHLEIGH RD.

KINGS POINT RD.

BANNOCK CT.

CHINOOK CT.

OJIBWAY RD.

HOPI CT.

YUMA CT.

SHOSHONE WAY

TUSCARORA

HUPA CT.

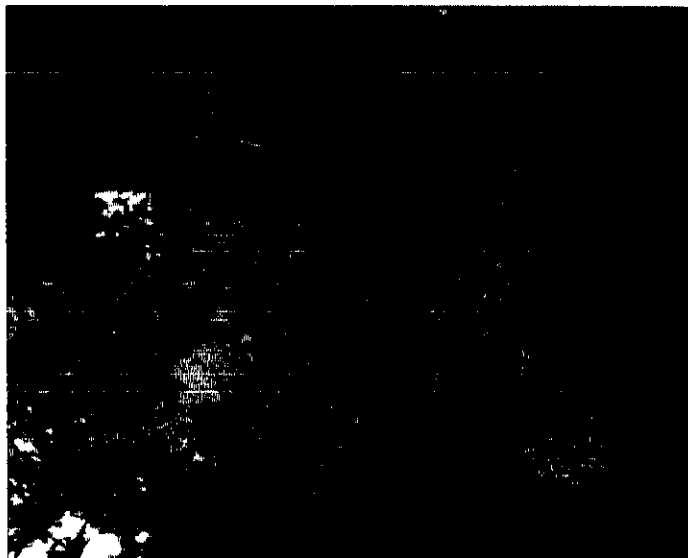
58,500

57,000

129

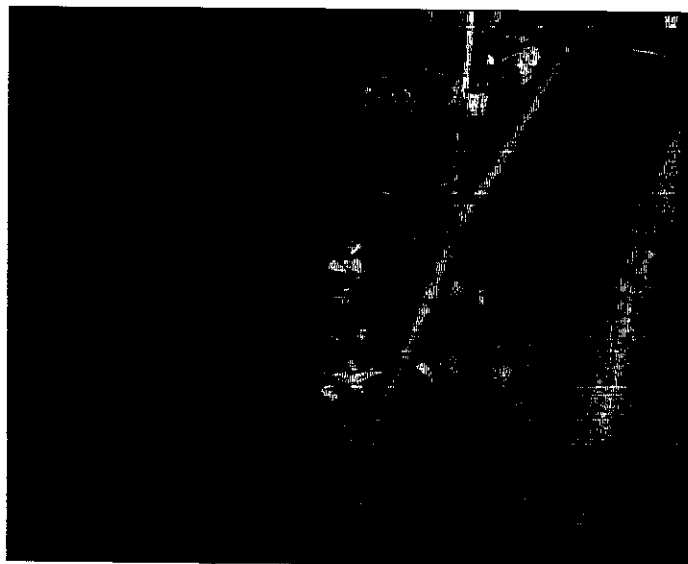
3-07-05

9



Privacy fence to butt up next  
to LeChinoak Rear Deck Wall

10



Rear Privacy Fence @ 54' wide  
in front of Trees Behind Small  
Storage Shed.

99-179-A

5



Rear of Privacy Fence @  
54' Long wide

7



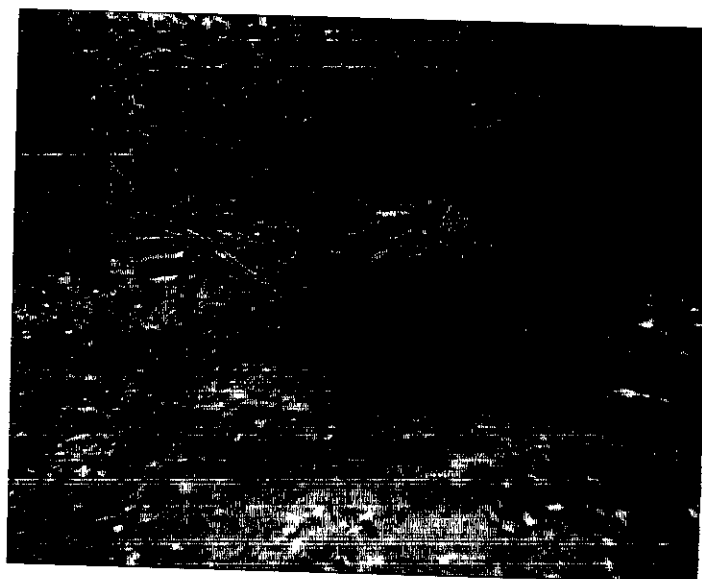
Privacy Fence to Butt Up to  
6 Chinook Rear Deck wall @  
30' Long

6



12 CHINOOK FRONT  
Front Front Door is 20' 6" to  
SIDEWALK

8

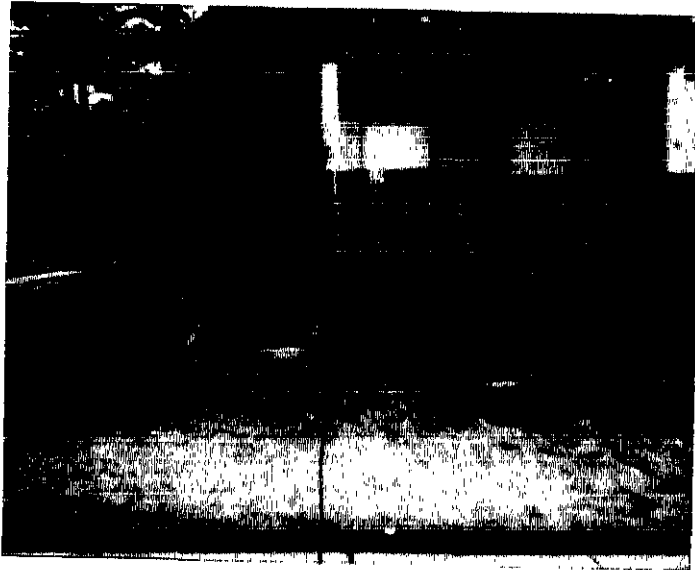


6 Chinook  
Privacy Fence to butt next to his  
fence @ 30' Long

99-179-A

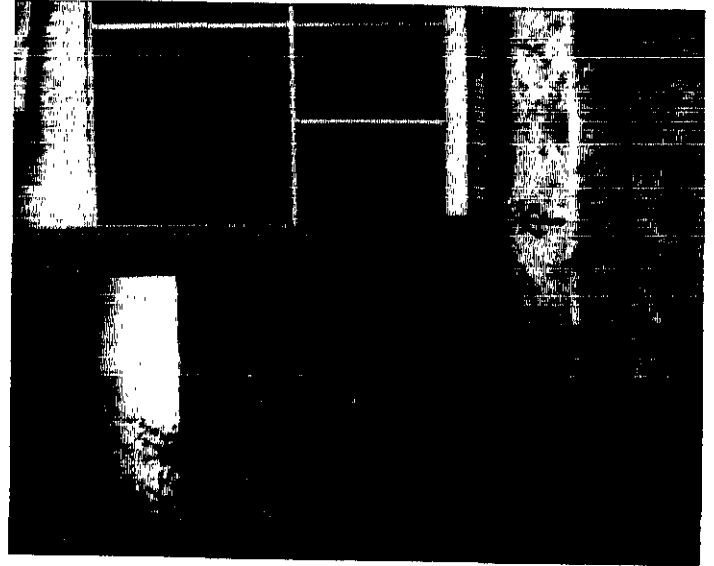


1



12 Chinook Patio 25' 4 1/2" to  
Privacy Fence Line

2



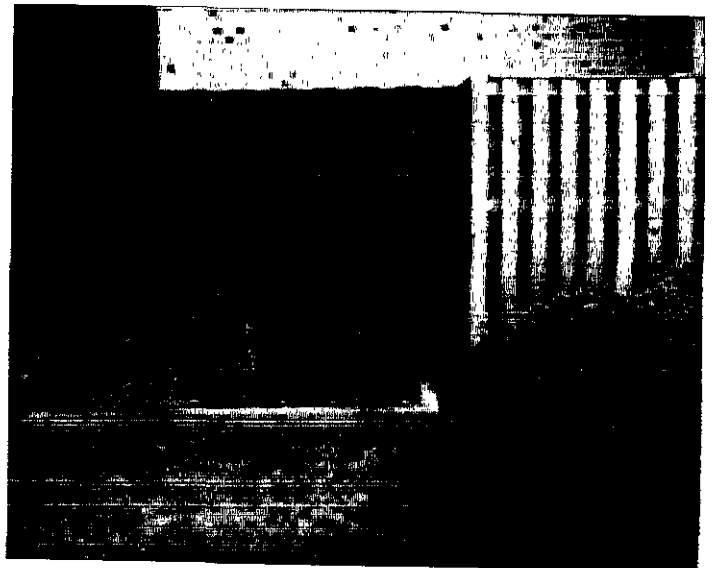
Privacy Fence to start @  
side of house 16' out

3



Privacy Fence end @ 40' stake  
marking

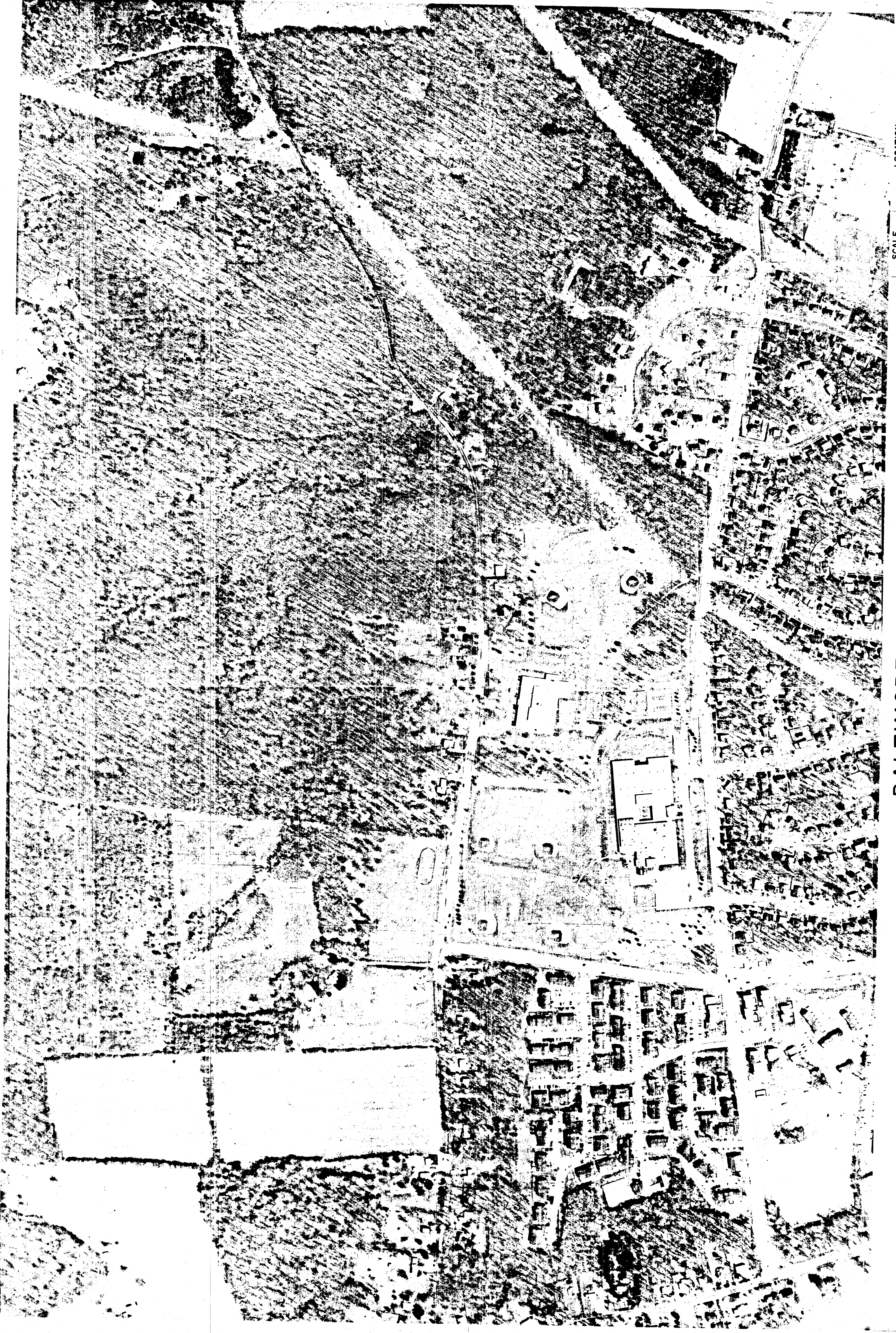
4



12 Chinook (SIDE PATIO) 14 Chinook  
measure 25' 4 1/2" to Fence Line

99-179-A





*99-179-A* BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION HARRISONVILLE VICINITY	SHEET N.W. 9-J
DATE OF PHOTOGRAPHY JANUARY 1986		